

## REMARKS/ARGUMENT

Applicants confirm the oral election with traverse of Group I, claims 1-9. It is respectfully submitted that the restriction requirement should be withdrawn. The requirement has been justified on the grounds that the product as claimed can be made by a materially different process such as laminating the layers in a parallel orientation. This justification is not understood since the method claims state that the layers are generally parallel. In addition, it is respectfully submitted that references relating to an iridescent film and a method of producing an iridescent film are cross-referenced to the same class/subclasses and therefore an identification of different primary subclasses does not signify that the inventions have acquired a separate status in the art. In light of these considerations, withdrawal of the restriction requirement is respectfully solicited.

It is apparent from the Office Action that an initialed copy of the art listing form was intended to be enclosed but the copy was not actually enclosed. It is respectfully requested that a copy be enclosed with the next communication from the PTO.

A typographical error in the specification has been corrected.

The dependency of claim 5 has been corrected and the correction suggested by the Examiner to claim 9 has been made. It is therefore respectfully submitted that the objection to these claims can be withdrawn.

The rejection of claims under 35 USC 112, second paragraph, is respectfully traversed. As to the terms noted to be relative, it is respectfully submitted that in the context of the art to which the invention pertains, these terms are not indefinite but are well understood and definite. In that connection, the Examiner's attention is respectfully invited to claim 1 of the Shetty patent. The language relating to the film in the instant claims was almost identical, and after amendment is identical, to claim 1 of Shetty.

With respect to the contiguous adjacent layers, claim 1 provides antecedent basis for that recitation in claims 4 and 6. Claim 1 refers to a multilayer film having at least ten layers and that description implicitly provides the basis in that there must be contiguous adjacent layers in the multilayer film. To require an additional phrase to recite that fact

would place form over substance. Further, as to the term "contiguous adjacent," it is respectfully pointed out that this is the standard terminology in the art as shown by claim 1 of the Shetty patent.

In claims 5 and 8, the word "the" has been deleted from the expression "the one."

In light of these remarks and changes, it is respectfully that the rejection under Section 112 should be withdrawn.

The elected claims were rejected under 35 USC 103 over Shetty in view of Akamatsu. This rejection is respectfully traversed.

The Shetty patent does, of course, show the multilayer coextruded iridescent film. This fact is acknowledged in the specification at the top of page 4. The Examiner is correct that Shetty does not show that the multilayer structure has a thickness or tensile as set forth in the instant claims. In addition, it is respectfully pointed out that Shetty also does not teach or suggest a uniaxial oriented film. It is respectfully submitted that the Akamatsu reference does not cure these deficiencies.


Akamatsu relates to a non-crimping polyester monofilament which can have a tensile strength of 6.7-7.2 kgf, as the Examiner has pointed out with reference to col. 13, lines 42-50 and Table 5. However, this reference relates to a monolayer material and not to a multilayer film. The fact that a monolayer can have a particular tensile strength or dimensions does not imply that a multilayer structure can have the same dimensions and physical characteristics. For instance, it is quite apparent that a multilayer structure is subject to delamination of the layers making up the structure and delamination will effect tensile strength, while a single layer film is not subject to delamination. Akamatsu does not teach or suggest how to achieve the dimensions and ultimate tensile break achieved by the present invention.

With respect to the range of thicknesses and widths, it is respectfully submitted that it is not obvious to modify the conditions of a composition because they are merely a result of routine experimentation with regard to the present invention. The invention is not based on modifying the composition. The present application points out that in order to achieve a thread of the desired width, it was necessary to affix a polyester or similar polymer

film to at least one surface of the iridescent film, typically by laminating. This additional material, the polyester or other material, imparted satisfactory mechanical strength for the desired use but at the same time it detracted from the aesthetics of the finished thread filaments. It also caused the laminating thread films to be too bulky and not to provide a cloth-like feel when in contact with the human skin. Thus, the prior art adopted a different approach of achieving a satisfactory mechanical properties but one which increased the thickness of the overall structure. It is respectfully submitted that to say it is obvious to achieve a result merely because known what the desired width and ultimate tensile value should be, is merely an invitation to experiment how to achieve those combination of properties. There is nothing in the Akamatsu reference which teaches that a multilayer coextruded iridescent film as recited in the instant claims could achieve an ultimate tensile at break of about 2.5-9 kgf and a thickness of about 0.007 to 0.034 mm simultaneously without laminating the film to some type of backing sheet. Thus, Akamatsu does not teach or suggest how the Shetty process can be altered to achieve the present invention.

In light of the foregoing considerations, it is respectfully submitted that this application is now in condition to be allowed and the early issuance of a Notice of Allowance is respectfully solicited.

Respectfully submitted,



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**APPENDIX A**  
**Version With Markings To Show Changes Made**  
**37 C.F.R. § 1.121(b)(1)(iii) AND (c)(1)(ii)**

**SPECIFICATION:**

Paragraph at Page 5, lines 8-16:

The process of the compression rolling is known per se. It is described, for example, in U.S. Patents 3,194,86[9]3 and 3,503,843, the disclosures of which are incorporated herein by reference. Briefly, the multilayer film is passed between rollers positioned so as to decrease the thickness to about 20 to 50% of its original thickness. A lubricant is used on the film as it passes through the nip between the two rollers. This can be applied either directly to the surface of the film or on the roller surface(s) so it is transferred to the surface of the film as it passes between the rollers. The processing temperature of the pressure rollers depends on the particular iridescent sheet being processed. In most instances, the temperature will be ambient but it can be varied from about 80 to 100°C.

**CLAIMS:**

1. A uniaxial oriented, multilayer co-extruded iridescent film having an ultimate tensile at break of about 2.5 to 9 kgf and a thickness of about 0.007 to 0.034 mm, wherein said film comprises at least 10 very thin layers of substantially uniform thickness of about 30 to 500 nm, said layers being generally parallel and the contiguous adjacent layers being of different thermoplastic resinous materials whose refractive index differ by at least about 0.03.

5. The uniaxial oriented, multilayer co-extruded iridescent film of claim 3 [6], wherein [the] one of the contiguous adjacent layers of the film is a thermoplastic elastomer.

8. The uniaxial oriented, multilayer co-extruded iridescent film of claim 6 [7], wherein [the] one of the contiguous adjacent layers of the film is a thermoplastic elastomer.

9. The uniaxial oriented, multilayer co-extruded iridescent film of claim 1, in the form of a microfilament thread having a width of about 0.15 to 0.3 mm.

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*Helen Giglio*

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August 15, 2002

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Date of Signature